D PETER HOCHBERG CO LPA **2167713804** PTO/SB/29 (10-00)

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ON The Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL Submit an original, and a duplicate for fee processing. CHECK BOX # # (Only for Continuation or Divisional applications under 37 CFR 1.53(d)) DUPLICATE Attorney Docket No. Address to: of Prior Application RO0206US (90568) **Assistant Commissioner for Patents** First Named Inventor A. Fellinger **Box CPA** Washington, DC 20231 Examiner Name S. Luong Group Art Unit 3728 Express Mail Label No. acontinuation or divisional application under 37 CFR 1.53(d). This is a request for a (continued prosecution application (CPA)) of prior application number 09 / 308,408filed on June 28, 1999 entitled STORAGE DEVICE FOR MEDICAL SWABS FILING QUALIFICATIONS: The prior application identified above must be a comprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000). C+P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b). EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation in-part of an application that is not to be abandoned. ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket. 35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. 1 XX Enter the unentered amendment previously filed on _ January 26, 2001 under 37 CFR 1.116 in the prior nonprovisional application. 2. XX A preliminary amendment is enclosed. 3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4). a. DELETE the following inventor(s) named in the prior nonprovisional application: b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

b. Copies of IDS Citations [Page 1 of 2] Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SCHOOL TO ADDRESS S

4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. Information Disclosure Statement (IDS) is enclosed:

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Release claims in excess of 20 and over original patent. TOTAL \$ \$710.00 6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27, any additional temporal patent claims small entity status. See 37 CFR 1.27, any additional 7. The Commissioner is hereby authorized to credit overpayments or charge/sea. 7. The Commissioner is hereby authorized to credit overpayments or charge/sea. 8. Sees required under 37 CFR 1.16. 8. Sees required under 37 CFR 1.17. 9. Pages required under 37 CFR 1.18. 8. A check in the amount of \$ is enclosed. 9. Payment by credit card. Form PTO-2038 is attached. (\$710.00) 10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed. 11. New Attorney Docket Number, if desired ROL206(IS, CPA Prior application flamper pocket) Mumber will express to this CPA United Prior application flamper and provided herain. 12. a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A) b. Return Receipt Postcard (Should be specifically temized, See MPEP 503) 13. TX Other: Petition & Fee for Extension of Time NOTE: The prior application's carriagonidence address will carry over to this CPA UNLESS a new correspondence address by Will carry over to this CPA UNLESS a new correspondence address is provided below. 14. NEW CORRESPONDENCE ADDRESS 15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Name (Prior Type) 15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Name (Prior Type) 15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Name (Prior Type) 15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED		_			bove Calculation	710.00	
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below:

> To Fax No. (703) 305-3579 Attention: Shian Luong

Date: Much 22 200/

By: Karen Boshuss

<u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

Applicant

RO0206 (#90568)

Inventor

A. Fellinger

Serial No.

09/308,408

MAR 2 2 2001

FAX RECEIVED

Filing Date

June 28, 1999

GROUP 3700

Examiner

S. Luong

Group Art Unit

3728

Title

Storage Device for Medical Swabs

Box CPA
Assistant Commissioner for Patents
Washington D.C., 20231

Dear Sir:

PRELIMINARY AMENDMENT

In response to the Advisory Action dated February 1, 2001, please amend the above-identified application prior to its application, without prejudice, as follows:

IN THE CLAIMS

(Thrice Amended) Storage device for medical swabs consisting essentially of an envelope for medical swabs which is formed by a flexible base layer and a flexible cover layer between which are provided adjacently disposed chambers whose size is determined by the number and size of swabs to be stored, wherein the flexible base layer and the flexible cover layer are integrally joined in areas between the chambers, the